

REMARKS/ARGUMENTS

Claims 1-45 are pending in this application. Claims 32 and 34 have been canceled. Claims 1, 2, 28, 33, 35, 37 and 40 have been amended. No new claims have been added.

The examiner has acknowledged that claims 19-21 are directed to allowable subject matter.

The Examiner has objected to the title of the invention as being non-descriptive. Applicants have amended the title as set forth above to address this objection.

The Examiner has also objected to the Abstract. Applicants have amended the Abstract to address this objection.

The Information Disclosure Statement filed on January 14, 2004 has been objected to. In particular, the Examiner notes that the copy of Form 892 submitted from the parent application does not comply with all of the requirements of 37 C.R.R. 1.98(a)(1). Accordingly, Applicants are submitting herewith a Supplemental Information Disclosure Statement with all of the references previously listed on Form 892 now properly listed on Form 1449. Applicants requests that the Examiner initial each reference listed on the form in the space provided and date the form to indicate that the listed references have been considered. In addition, Applicants note that the Examiner has not indicated that all of the references listed in the Information Disclosure Statement filed on January 14, 2004 have been considered. Applicants request that the Examiner initial all of the references submitted on these forms and date the forms to indicated that all of the listed references have been considered. Should the Examiner require copies of any of the listed references, please contact the undersigned attorney and additional copies will be provided.

The rejection issued in paragraph 5 of the Office Action against claims 1-19 and 28-45 has been obviated by the removal of the term “amido” from the claims.

The rejections issued in paragraphs 6 and 7 of the Office Action against claims 1-39 have been obviated by the removal of the recitation relating to a “pharmaceutically acceptable ester, ether *** amide” from the claims. Applicants do not agree with the Examiner’s reasoning in issuing the rejection, but the claims were amended in the manner indicated above in order to move prosecution of this application along. Applicants reserve the right to pursue the deleted subject matter in a continuation application.

The rejection issued in paragraph 8 of the Office Action against claims 1-39 has been obviated by the removal of the recitation relating to a “pharmaceutically acceptable hydrate” from the claims. Applicants do not agree with the Examiner’s reasoning in issuing the rejection, but the claims were amended in the manner indicated above in order to move prosecution of this application along. Applicants reserve the right to pursue the deleted subject matter in a continuation application.

The rejection issued in paragraph 9 of the Office Action against claims 1-39 has been obviated by the removal of the recitation relating to a “pharmaceutically acceptable isotopically labeled form” from the claims. Applicants do not agree with the Examiner’s reasoning in issuing the rejection, but the claims were amended in the manner indicated above in order to move prosecution of this application along. Applicants reserve the right to pursue the deleted subject matter in a continuation application.

Method claims 32 and 34 have been cancelled and method claims 33, 35 and 37 have been amended to address the rejection issued in paragraph 10 of the Office Action. Accordingly, Applicants believe that the rejection of claims 32-38 under 35 U.S.C. 112, first paragraph, has been overcome. Applicants do not agree with the Examiner’s reasoning in issuing the rejection, but the claims were amended in the manner indicated above in order to move prosecution of this application along. Applicants reserve the right to pursue the deleted subject matter in a continuation application.

Claims 1 and 2 have been amended as set forth above to overcome the rejections issued under 35 U.S.C. § 102. Accordingly, Applicants submit that the rejections issued in paragraphs 11-16 of the Office Action have been traversed.

In view of the foregoing, Applicants believe that claims 1-31, 33 and 35-45 patentably distinguish over the cited art and are otherwise in condition for allowance. Accordingly, Applicants respectfully requests that a timely Notice of Allowance be issued in this case.

Applicants hereby petition for a two-month extension of time to respond to the outstanding Office Action. Please charge the extension fee required under 37 C.F.R. 1.17(a)(2) and any other fees that may be required to Deposit Account No. 10-0750/ORT-1614CON/JWH.

Should there be any questions regarding this Response, please contact the undersigned attorney at the telephone number listed.

Serial No. 10/757,625

Respectfully submitted,

By: /Joseph S. Kentoffio/
Joseph S. Kentoffio
Reg. No. 33-189

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-3711
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Customer No. 000027777